

Myth vs. Fact – Rep. Tom Rooney’s REPAIR Act

Dispelling the notion that Washington’s dysfunction can be blamed on a fictitious boogeyman: earmarks.

Myth: “(Earmarks) feed the system of corruption; that is the way Washington works. The only way to prevent them from metastasizing is to ban them permanently.”

Fact: In 2011, in an effort to crack down on rampant spending and abuses of the appropriations process, House and Senate Republicans enacted an outright ban on congressional earmarks – which has resulted in the unintended consequence of giving federal agencies a blank check and letting executive branch officials decide how to spend limited taxpayer dollars. The REPAIR Act is **not** a repeal of the [earmark ban](#); rather it allows for two exceptions to the ban in order to address the federal government’s failure to adequately fund critical water resource infrastructure projects in every corner of the country. The REPAIR Act excludes from the moratorium only those water resources development projects of the Army Corps of Engineers and Bureau of Reclamation – all of which undergo arduous vetting and many of which receive 50 percent of their funding from public entities in the state. Objectively, most Members want to advocate for policies and projects that enhance the well-being of their district – a responsibility to their electorate that’s directly derived from the Constitution.

Myth: “Regardless of what they are called or how they are justified, earmarks are nothing more than self-serving, corruptive, pork-barrel projects.”

Fact: For many Americans living in an area near a river or large body of water, the only thing preventing their homes from flooding during the rainy season is a federally-maintained dam. The local authorities are aware of the need, independent studies have confirmed the need and getting the dam fixed seems like a no-brainer. Under the current earmark moratorium, unelected bureaucrats in the executive branch exclusively decide the fate of funding for federal dam repairs – not the people’s elected Representatives in Congress.

The earmark moratorium’s disproportionate impact on water projects presents a challenge for states and communities, particularly when they have no recourse to advocate for federal funds for projects that are endorsed by a range of stakeholders (many of whom represent or employ public entities, like the Florida Association of Counties) and that benefit from state and local entities ready to fulfil their cost-share commitments. 85% of Corps Civil Works projects and 75% of Reclamation projects are considered “geographically-specific,” which means that under the existing definition of an earmark in House Rules (which includes any projects that benefit a specific district or state), the majority of funds for important water projects across the country are allocated exclusively by the executive branch. **The REPAIR Act will simply allow Members to request funding for projects that have already been approved by Congress to help shore up decrepit levees and dams, speed up flood control efforts during the rainy season or expedite drought response efforts in the west in a manner that’s fully open to the public.**

Myth: “But if some Members of Congress prevail (in their attempt to bring back earmarks), earmarks will not only recur, they will grow quickly and spread throughout the federal budget.”

Fact: The REPAIR Act does not authorize or appropriate any new funds for these projects, which comprise just half of one percent of our overall annual discretionary budget. The REPAIR Act takes back the authority to fund these scrutinized projects from the executive branch and puts it back into the hands of accountable elected officials who know how important these projects are to their communities.

Prior to the ban instituted in 2011, the excessive use of earmarks was more a symptom of a broken budget process where Congress passed appropriation bills without having first passed corresponding authorizations bills. In effect, earmarks became an ad hoc, every-man-for-himself substitute for the authorization process that resulted in haphazard policymaking. **Congressman Rooney’s proposal is not a complete repeal of the earmark moratorium, nor is it an endorsement of increased spending or a return to the corrupt practice of earmarking funds for special interests.** Restoring order to the budget process and passing stand-alone authorization and appropriations bills is the most effective way to prove that Members of Congress are spending their constituents’ tax dollars wisely.

For more on The REPAIR Act, visit rooney.house.gov/repair-act